

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANCIS JOYCE

Plaintiff

v.

RICHARD DEVASTEY, et al.

Defendants

CIVIL ACTION

No. 12-0834

**MOTION TO DISMISS OF DEFENDANT
FEDERAL DEPOSIT INSURANCE CORPORATION,
AS RECEIVER FOR PROGRESS BANK OF FLORIDA**

Defendant Federal Deposit Insurance Corporation (“FDIC”) as Receiver for Progress Bank of Florida (“FDIC-R”), by counsel, moves the Court to dismiss all claims against it, with prejudice, pursuant to Federal Rule of Civil Procedure 12(b)(1) and (6) and the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (“FIRREA”), codified as amended in the Federal Deposit Insurance Act, 12 U.S.C. § 1821(d). In support of this motion, FDIC-R relies on the Memorandum of Law in Support of this Motion, which is submitted herewith.

s/Lisa B. Wershaw
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Lisa B. Wershaw
PA Bar I.D. Nos. 29057; 41630
Attorneys for Defendant
Federal Deposit Insurance Corporation, as Receiver
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